

**SUPREME COURT MINUTES  
WEDNESDAY, MAY 14, 2003  
SAN FRANCISCO, CALIFORNIA**

**S102162**B145089 Second Appellate District,  
Division Seven

PEOPLE v. GUTIERREZ

Rehearing denied

**S114054**B150963 Second Appellate District,  
Division ThreeROBINSON HELICOPTER CO. INC. v. DANA  
CORPORATION

Petition for review granted

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin and Moreno, JJ.

**S114171**

F040111 Fifth Appellate District

STATE OF CALIFORNIA v. S.C. (BODDE)

Petition for review granted; issues limited

The issue to be briefed and argued before this court is limited to: Can a Plaintiff's failure to comply with the claim-filing requirements of the Tort Claims Act (Gov.Code, Section 900 et seq.) or to be plead facts excusing compliance be raised on demurrer to the complaint.

Baxter, J., was recused and did not participate.

Votes: George, CJ., Kennard, Werdegar,  
Chin, Brown and Moreno, JJ.

**S114184**G028417 Fourth Appellate District,  
G028422 Division Three

PEOPLE v. WILLIAMS

Petition for review granted

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S114551**

STEELE (RAYMOND EDWARD) ON H.C.

Order to show cause issued

The Director of Corrections is ordered to show cause before this court, when the matter is placed on calendar, why this court should not grant petitioner's "motion for post-conviction discovery," filed April 8, 2003. In

addition to anything else relevant to this question the parties choose to brief, the parties are directed to brief the questions of which court should first hear a discovery motion pursuant to Penal Code section 1054.9, and what is the scope of the prosecution's duty, if any, to provide discovery of materials unrelated to the charged crimes or prosecution evidence in aggravation but that might provide penalty phase mitigating evidence.

The return shall be filed on or before June 13, 2003. Final resolution of the petition for writ of habeas corpus is deferred pending this discovery matter, but this order does not affect the preparation and filing of an informal response to the petition and the reply to that response.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S114715**

B151534 Second Appellate District,  
Division Seven

**FLETCHER v. DAVIS**

Petitions for review granted; issues limited

The issues to be briefed and argued before this court are limited to: (1) Must an attorney's agreement with a client authorizing a lien for payment of attorney fees to be imposed against any recovery in the litigation be in writing? (2) Must an attorney obtain a judgment against the client establishing the existence and amount of such a lien before suing non-client third parties to enforce the lien?

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

**S114697**

B159131 Second Appellate District,  
Division Three

**PEOPLE v. CASIAN**

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Sanders*, S094088 (see Cal. Rules of Court, rule 28.2 (c) ), or

pending further order of the court.

Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S104310**

SORIA (RICARDA) ON H.C.  
OSC issued, returnable in Superior Court

The Director of Corrections is hereby ordered to show cause before the San Mateo County Superior Court, when the matter is place on calendar, why petitioner is not entitled to a new sentencing hearing because the trial court pronounced an unlawful and unauthorized sentence that must be corrected. (See *In re Harris* (1993) 5 Cal.4th 813, 839; see *People v. Mesa* (1975) 14 Cal.3d 466, 471-472; see also, *People v. Karaman* (1992) 4 Cal.4th 335, 344, fn 9.) The return shall be filed on or before June 13, 2003.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S113743**

E031229 Fourth Appellate District,  
Division Two

DUNN v. SILVER LAKES ASSN  
Petition for review granted; transferred to CA 4/2

with directions to vacate its order denying petition for rehearing and reconsider the petition for rehearing in light of Code of Civil Procedure section 437c, subdivision (m)(2).

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S114452**

B165126 Second Appellate District,  
Division One

ROBLES v. S.C. (PEOPLE)  
Review granted; transferred to CA 2/1 to issue alternative writ

The matter is transferred to the Court of Appeal, Second Appellate District, Division One, to vacate its order denying mandate and

to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar. Pending further order by the Court of Appeal, all proceedings before Judge Ronald S. Coen are stayed.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S085498**

B122454 Second Appellate District,  
Division Six

**PEOPLE v. DACAYANA**

Dismissed per rule 29.3(b), and remanded to CA 2/6

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S095569**

A083800 First Appellate District,  
A090477 Division Two

**PEOPLE v. PLYLER**

Dismissed per rule 29.3(b), and remanded to CA 1/2

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S098279**

B143381 Second Appellate District,  
Division Four

**ACOSTA v. SYNTHETIC INDUSTRIES, INC.**

Dismissed per rule 29.3(b), and remanded to CA 2/4

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S102999**

B150390 Second Appellate District,  
Division Three

**GRANADOS v. S.C. (KIZYMA ELECTRIC)**

Retransferred to CA 2/3

Votes: George, CJ., Kennard, Werdegar and Moreno, JJ.

**S103451**

B145348 Second Appellate District,  
Division Six

**PEOPLE v. RANGER INSURANCE**

Dismissed per rule 29.3(b), and remanded to CA 2/6

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S104088**

D036160 Fourth Appellate District,  
Division One

SWIDERSKI v. MILBERG, WEISS, BERSHAD  
Dismissed per rule 29.3(b), and remanded to CA 4/1

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S105702**

H022655 Sixth Appellate District

PEOPLE v. RANGER INSURANCE  
Dismissed per rule 29.3(b), and remanded to CA 6

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S106486**

B133309 Second Appellate District,  
Division Five

PEOPLE v. SMITH  
Transferred to CA 2/5 after grant of review

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S106740**

B110122 Second Appellate District

PEOPLE v. DU  
Retransferred to CA 2/5

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S109356**

A092852 First Appellate District,  
Division Four

PEOPLE v. ALAS  
Dismissed per rule 29.3(b), and remanded to CA 1/4

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S109452**

B149841 Second Appellate District,  
Division Two

PEOPLE v. LEGION INSURANCE  
Dismissed per rule 29.3(b), and remanded to CA 2/2

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S110282**

F038083 Fifth Appellate District

PEOPLE v. RANGER INSURANCE COMPANY  
Dismissed per rule 29.3(b), and remanded to CA 5

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S110283**

F039693 Fifth Appellate District

PEOPLE v. FRONTIER PACIFIC INSURANCE CO.  
Dismissed per rule 29.3(b), and remanded to CA 5Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.**S110380**B149459 Second Appellate District,  
Division SevenPEOPLE v. TROTTER  
Dismissed per rule 29.3(b), and remanded to CA 2/7Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.**S111097**B152761 Second Appellate District,  
Division OneLOS ANGELES COUNTY v. SENECA  
Dismissed per rule 29.3(b), and remanded to CA 2/1Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.**S112450**G027838 Fourth Appellate District,  
Division ThreePEOPLE v. VALOT  
Dismissed per rule 29.3(b), and remanded to CA 4/3Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.**S089502**DAVENPORT (JOHN GALEN) ON H.C.  
Petition for writ of habeas corpus denied (AA)

The request for judicial notice is denied.

The petition for writ of habeas corpus is denied.

Claim One is denied as noncognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.) It is also procedurally barred, separately and independently, as untimely (see *In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 763-799), as pretermitted (see *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3), and as repetitive of a claim raised and rejected on habeas corpus previously (see *In re Miller* (1941) 17 Cal.2d 734, 735).

Claim Two is denied as noncognizable on habeas corpus. (*In re Lindley, supra*, 29

Cal.2d at p. 723.) It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as pretermitted (see *In re Dixon, supra*, 41 Cal.2d at p. 759; *In re Harris, supra*, 5 Cal.4th at p. 825, fn. 3).

Claim Three is denied on the merits. It is also procedurally barred, separately and independently, as untimely. (See *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799.) With the exception of subclaim (C)(2), Claim Three is also procedurally barred, separately and independently, as repetitive of claims raised and rejected on habeas corpus previously. (See *In re Miller, supra*, 17 Cal.2d at p. 735.)

Claim Three, subclaim (C)(2), is procedurally barred, separately and independently, as successive. (See *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.)

Claims Four, Twenty-five, and Twenty-seven are each denied on the merits. They each are also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claims Five and Six are each denied on the merits. They each are also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799), as pretermitted (see *In re Dixon, supra*, 41 Cal.2d at p. 759; *In re Harris, supra*, 5 Cal.4th at p. 825, fn. 3), and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Seven, subclaims A, B, C, E, and F,

are each denied on the merits. They each are also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799), as pretermitted (see *In re Dixon, supra*, 41 Cal.2d at p. 759; *In re Harris*, 5 Cal.4th at p. 825, fn. 3), and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Seven, subclaim D, is denied as noncognizable on habeas corpus. (*In re Harris*, 5 Cal.4th at p. 830; *In re Clark, supra*, 5 Cal.4th at p. 767; *In re Lessard* (1965) 62 Cal.2d 497, 503.) It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799), as pretermitted (see *In re Dixon, supra*, 41 Cal.2d at p. 759; *In re Harris*, 5 Cal.4th at p. 825, fn. 3), and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Eight is denied on the merits. It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799), as pretermitted (see *In re Dixon, supra*, 41 Cal.2d at p. 759; *In re Harris*, 5 Cal.4th at p. 825, fn. 3), and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Nine, subclaim A, is denied on the merits. It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768;



*In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Nine, subclaim B, is denied on the merits. It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as repetitive of a claim raised and rejected on habeas corpus previously (see *In re Miller, supra*, 17 Cal.2d at p. 735).

Claim Nine, subclaim C(1), is denied on the merits. It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as repetitive of a claim raised and rejected on habeas corpus previously (see *In re Miller, supra*, 17 Cal.2d at p. 735).

Claim Nine, subclaims C(2), G, and H, are each denied on the merits. They each are also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Nine, subclaim D, is denied on the merits. It is also procedurally denied, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Nine, subclaims E and F, are each denied on the merits. They each are also procedurally denied, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as repetitive of claims raised and rejected on habeas corpus previously (see *In re Miller*,

*supra*, 17 Cal.2d at p. 735).

Claim Ten is denied on the merits. It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as repetitive of a claim raised and rejected on habeas corpus previously (see *In re Miller, supra*, 17 Cal.2d at p. 735).

Claims Eleven, Twelve, Fourteen, Fifteen, Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Twenty-four, and Twenty-six are each denied on the merits. They each are also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as repetitive of claims raised and rejected on appeal (see *In re Harris, supra*, 5 Cal.4th at pp. 824-829; *In re Waltreus, supra*, 62 Cal.2d at p. 225).

Claim Thirteen, subclaim A, is denied on the merits. It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799), as pretermitted (see *In re Dixon, supra*, 41 Cal.2d at p. 759; *In re Harris, supra*, 5 Cal.4th at p. 825, fn. 3), and as successive (see *In re Robbins, supra*, 18 Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Thirteen, subclaim B, is denied on the merits. It is also procedurally barred, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as repetitive of a claim raised and rejected on appeal (see *In re Harris, supra*, 5 Cal.4th at pp. 824-829; *In re Waltreus, supra*, 62 Cal.2d at p. 225).

Claim Sixteen is denied on the merits. It is also procedurally denied, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as successive (see *In re Robbins, supra*, 18

Cal.4th at pp. 778, fn. 1, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz, supra*, 33 Cal.2d at pp. 546-547).

Claim Seventeen is denied on the merits. It is also procedurally denied, separately and independently as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th pp. 763-799) and as repetitive of a claim raised and rejected on habeas corpus previously (see *In re Miller, supra*, 17 Cal.2d at p. 735).

Claim Twenty-eight is denied on the merits. It is also procedurally denied, separately and independently, as untimely (see *In re Robbins, supra*, 18 Cal.4th at pp. 780-781; *In re Clark, supra*, 5 Cal.4th at pp. 763-799) and as repetitive of a claim raised and rejected on habeas corpus previously (see *In re Miller, supra*, 17 Cal.2d at p. 735).

Justice Brown would deny the petition solely on the merits.

**S104295**

KOONTZ (HERBERT H.) ON H.C.

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on February 8, 2002, is denied. Claim V.B is denied as premature. All remaining claims are denied on the merits. Claim IV is additionally denied on the ground that it could have been, but was not, raised on appeal (see *In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756).

Justice Brown would deny all claims except Claim V.B solely on the merits

**S113191**

C041382 Third Appellate District

K. (O.), IN RE

Petition for review denied

**S113404**

BUNNER v. S.C. (DVD COPY CONTROL)

Petition for writ of mandate/prohibition denied

Petitioner Andrew Brunner's Petition for a

Peremptory Writ of Mandate and/or  
Prohibition in the First Instance is denied.

Kennard, J., and Chin, J., were recused and  
did not participate.

**S113861**  
B150039 Second Appellate District,  
Division Seven

ROBERTS v. LOS ANGELES COUNTY BAR  
ASSOCIATION  
Petition for review denied

**S113903**  
C040855 Third Appellate District

ABRAMS, MARRIAGE OF  
Petition for review denied

**S113914**  
G029937 Fourth Appellate District,  
Division Three

ELLSTROM v. STATE OF CALIFORNIA  
Petition for review denied

**S113942**  
B163688 Second Appellate District,  
Division Three

SOUTH BEVERLY WILSHIRE JEWELRY &  
LOAN v. S.C. (GORDON)  
Petition for review denied

**S113955**  
F038079 Fifth Appellate District

SOLPAC v. CITY OF FRESNO  
Petitions for review and publication request denied

Baxter, J., was recused and did not participate.

**S113969**  
A099288 First Appellate District,  
Division One

PIPER (WILLIAM M.) ON H.C.  
Petition for review denied

**S113974**  
A094913 First Appellate District,  
A097069 Division Four

PRADO v. DAMATO  
Petition for review denied

**S113993**  
B161166 Second Appellate District,  
Division Seven

ABRATTE v. W.C.A.B.  
Petition for review denied

**S114009**

A095666 First Appellate District,  
Division Three

LOPEZ v. WORLD SAVINGS & LOAN

Petition for review & depublication request denied

**S114022**

B164136 Second Appellate District,  
Division Four

PACIFICARE v. S.C. (RADLOVIC)

Petition for review denied

**S114058**

B134560 Second Appellate District,  
Division Seven

FUERST v. TUCCINARDI

Petition for review & publication request denied

**S114066**

B136351 Second Appellate District,  
Division One

HOFFMAN v. PRINCESS CRUISES INC.

Petition for review denied

**S114076**

D039779 Fourth Appellate District,  
Division One

ZOLEZZI v. PACIFICARE

Petition for review denied

**S114135**

G031765 Fourth Appellate District,  
Division Three

CHENZE (STEVEN) ON H.C.

Petition for review denied

**S114145**

C041493 Third Appellate District

STATE BAR v. S.C. (HARNED)

Petition for review denied

**S114187**

A097032 First Appellate District,  
Division Two

RIVERO v. AMERICAN FEDERATION OF STATE

Petition for review & depublication request denied

Kennard, J., and Moreno, J., are of the opinion  
the petition should be granted.

**S114196**

A094414 First Appellate District,  
Division Three

INDUSTRIAL INDEMNITY v. APPLE COMPUTER

Petition for review denied

**S114200**

H024534 Sixth Appellate District  
H025289

PEOPLE v. SIERRA

Petition for review denied

**S114222**

C039102 Third Appellate District

H. (SAMANTHA) v. FIELDS

Petition for review denied

**S114253**D038316 Fourth Appellate District,  
Division One

SAN DIEGO, CITY OF v. RANCHO

PENASQUITOS PARTNERSHIP

Petition for review &amp; depublication request denied

**S114272**

C041423 Third Appellate District

PARKER v. W.C.A.B. (CALIFORNIA STATE

UNIVERSITY SACRAMENTO

Petition for review denied

**S114291**G028817 Fourth Appellate District,  
Division Three

SINDLER v. BRENNAN

Petition for review denied

**S114298**

F038354 Fifth Appellate District

REGAL MEDICAL GROUP v. CENTENNIAL

MEDICAL GROUP INC.

Petition for review denied

**S114308**A101595 First Appellate District,  
Division Three

BORESS v. CLERK OF CONTRA COSTA

COUNTY SUPERIOR COURT

Petition for review denied

**S114324**

H023874 Sixth Appellate District

PEOPLE v. CASTILLO

Petition for review denied

**S114333**

C042983 Third Appellate District

BASILIO v. S.C. (CAMRAY)

Petition for review denied

**S114343**B163827 Second Appellate District,  
Division Two

LOS ANGELES COUNTY METROPOLITAN

TRANSPORTATION AUTHORITY v. WCAB

Petition for review denied

**S114344**

H024331 Sixth Appellate District

LAW v. CITY OF SUNNYVALE

Petition for review denied

**S114350**B148722 Second Appellate District,  
Division One

LAWRENCE v. CHYTEN

Petition for review denied

**S114352**

B164550 Second Appellate District,  
Division Three

DUNHAM ROOFING v. W.C.A.B. (CORTEZ]  
Petition for review denied

**S114365**

B163149 Second Appellate District,  
Division Three

LOS ANGELES COUNTY v. W.C.A.B. (LEE-CAR  
Petition for review denied

**S114394**

MARIAN v. CA 2/6  
Petition for writ of mandate denied

**S114400**

D040289 Fourth Appellate District,  
Division One

CITIZEN ACTION COUNCIL v. ALLIED  
MARKETING GROUP  
Petition for review denied

**S114437**

B155741 Second Appellate District,  
Division Six

DEE v. VINTAGE PETROLEUM  
Petition for review & depublication request denied

**S114443**

B150910 Second Appellate District,  
Division Two

MCMAHON v. BOARD OF TRUSTEES OF THE  
EL CAMINO COMMUNITY COLLEGE  
Petition for review denied

**S114444**

G031819 Fourth Appellate District,  
Division Three

BEVERLY HEALTH v. S.C. (FARINA)  
Petition for review denied

**S114457**

B163379 Second Appellate District,  
Division Three

JUAREZ v. W.C.A.B. (TANDEM)  
Petition for review denied

**S114459**

G030054 Fourth Appellate District,  
Division Three

MILLER v. SILVER  
Petition for review denied

**S114463**

C041090 Third Appellate District

SANTA TERESA CITIZEN ACTION v. ENERGY  
COMMISSION (CALPINE CORP)  
Petition for review denied

**S114510**

F039261 Fifth Appellate District

JOHNSON v. NUTTALL

Petition for review denied

**S114515**G029460 Fourth Appellate District,  
Division Three

PEOPLE v. TEAGUE

Petition for review denied

**S114519**E031603 Fourth Appellate District,  
Division Two

PEOPLE v. MORITZ

Petition for review denied

**S114528**B155131 Second Appellate District,  
Division Two

PEOPLE v. SANCHEZ-ESQUIVEL

Petition for review denied

**S114561**B142310 Second Appellate District,  
Division Three

SUMMIT INDUSTRIES v. LOS ANGELES DEV.

Petition for review denied

**S114570**

F039457 Fifth Appellate District

PEOPLE v. CHAN

Petition for review denied

**S114572**B157196 Second Appellate District,  
Division One

PEOPLE v. JACKSON

Petition for review denied

**S114582**B128916 Second Appellate District,  
B120750 Division Three  
B130123

DALEY v. BRIGGS

Petition for review denied

**S114621**

C038830 Third Appellate District

CLARK v. FAIROAKS (CASCADE)

Petition for review denied &amp; CA opinion decertified

Kennard, J., is of the opinion the petition  
should be granted.

**S114627**A097379 First Appellate District,  
Division Four

PEOPLE v. GIBBS

Petition for review denied



**S114631**

D036373 Fourth Appellate District,  
Division One

## PEOPLE v. DIAZ

Petitions for review denied

**S114633**

B153768 Second Appellate District,  
Division One

## PEOPLE v. MATESIC

Petition for review denied

**S114642**

D037969 Fourth Appellate District,  
Division One

## PEOPLE v. SHERMAN

Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S114651**

C036370 Third Appellate District

## PEOPLE v. FURR

Petition for review denied

**S114653**

H025396 Sixth Appellate District

## CRAWFORD (MARK JEFFREY) ON H.C.

Petition for review denied

**S114655**

F038849 Fifth Appellate District

## PEOPLE v. SEDILLO

Petition for review denied

Baxter, J., was recused and did not participate.

**S114662**

H024963 Sixth Appellate District

## SMITH (MICHAEL DEANE) ON H.C.

Petition for review denied

**S114664**

G028723 Fourth Appellate District,  
Division Three

## PEOPLE v. IVY

Petition for review denied

**S114665**

C037855 Third Appellate District

## PEOPLE v. FLORES

Petition for review denied

**S114668**

B155435 Second Appellate District,  
Division One

## PEOPLE v. CACHO

Petition for review denied

**S114670**

E030654 Fourth Appellate District,  
Division Two

PEOPLE v. HUBBARD  
Petition for review denied

**S114676**

F038546 Fifth Appellate District

PEOPLE v. CAMERO  
Petition for review denied

**S114682**

F038192 Fifth Appellate District

PEOPLE v. CUNNINGHAM  
Petition for review denied

**S114683**

E030979 Fourth Appellate District,  
Division Two

PEOPLE v. GASPAR  
Petition for review denied

**S114684**

H024176 Sixth Appellate District

GRANT v. HEIR  
Petition for review denied

**S114687**

B146086 Second Appellate District,  
Division Three

PEOPLE v. ARRIAGA et al.  
Petitions for review denied

**S114694**

A096304 First Appellate District,  
Division One

M. (SANTOS), IN RE  
Petition for review denied

**S114695**

D037695 Fourth Appellate District,  
Division One

PEOPLE v. FREDIANI  
Petition for review denied

**S114698**

D041784 Fourth Appellate District,  
Division One

MAHDAVI v. S.C. (AMERICAN A-ONE INVEST  
Petition for review denied

**S114701**

C037451 Third Appellate District

PEOPLE v. MCDANIEL  
Petition for review denied

**S114702**

A096547 First Appellate District,  
A100405 Division Three

PEOPLE v. GARCIA  
Petition for review denied

**S114703**

H023530 Sixth Appellate District

PEOPLE v. SEGURA

Petition for review denied

**S114707**

F039500 Fifth Appellate District

PEOPLE v. MARTIN

Petition for review denied

**S114711**

C039991 Third Appellate District

PEOPLE v. NAYLOR

Petition for review denied

**S114717**

H023606 Sixth Appellate District

C. (CHRISTOPHER), IN RE

Petition for review &amp; publication request denied

**S114721**B158760 Second Appellate District,  
Division Six

PEOPLE v. GRACIAN

Petition for review denied

**S114725**A098497 First Appellate District,  
Division Five

PEOPLE v. RAMIREZ

Petition for review denied

**S114728**B157257 Second Appellate District,  
Division Four

PEOPLE v. CEJA

Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S114745**B160945 Second Appellate District,  
Division Four

D. (APRIL), IN RE

Petition for review denied

**S114747**

H023978 Sixth Appellate District

S. (NICHOLAS), ADOPTION OF

Petition for review denied

**S114748**B160414 Second Appellate District,  
Division Six

PEOPLE v. SMITH

Petition for review denied

**S114750**

A098102 First Appellate District,  
Division One

PEOPLE v. GUTIERREZ

Petition for review denied

**S114754**

B161965 Second Appellate District,  
Division Two

SABER v. S.C. (LEEPER)

Petition for review denied

**S114760**

E030974 Fourth Appellate District,  
Division Two

PEOPLE v. STEELE

Petition for review denied

**S114761**

H023812 Sixth Appellate District

PEOPLE v. SANCHEZ

Petition for review denied

**S114762**

D039249 Fourth Appellate District,  
Division One

PEOPLE v. FAME

Petition for review denied

**S114763**

F040584 Fifth Appellate District

PEOPLE v. GARCIA

Petition for review denied

**S114765**

B158974 Second Appellate District,  
Division Six

PEOPLE v. DANIELS

Petition for review denied

**S114767**

A098194 First Appellate District,  
Division Five

PEOPLE v. GARCIA

Petition for review denied

**S114770**

F037917 Fifth Appellate District

PEOPLE v. WARNE

Petition for review denied

**S114771**

A096130 First Appellate District,  
Division Five

PEOPLE v. PHAT

Petition for review denied

**S114773**

F039639 Fifth Appellate District

PEOPLE v. SANCHEZ

Petition for review denied

**S114774**B162058 Second Appellate District,  
Division Three

WIEST, MARRIAGE OF

Petition for review publication request denied

**S114775**D039148 Fourth Appellate District,  
Division One

PEOPLE v. MCCLAUGHLIN

Petition for review denied

**S114776**E032603 Fourth Appellate District,  
Division Two

PEOPLE v. EVANS

Petition for review denied

**S114777**A097337 First Appellate District,  
Division Five

PEOPLE v. LEDESMA

Petition for review &amp; depublication request denied

**S114782**B155466 Second Appellate District,  
Division One

PEOPLE v. VEGA

Petition for review denied

**S114784**B157132 Second Appellate District,  
Division Three

PEOPLE v. VASQUEZ

Petition for review denied

**S114785**B158592 Second Appellate District,  
Division Six

PEOPLE v. CAVER

Petition for review denied

**S114790**

H023776 Sixth Appellate District

PEOPLE v. WATKINS

Petition for review denied

**S114791**B156267 Second Appellate District,  
Division Four

PEOPLE v. WILLIS

Petition for review denied

**S114792**

B154457 Second Appellate District,  
Division Five

PEOPLE v. MORALES  
Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S114793**

C039548 Third Appellate District

PEOPLE v. ROSE  
Petition for review denied

**S114796**

C040538 Third Appellate District  
C041377

BERRY, MARRIAGE OF  
Petition for review & publication request denied

**S114797**

B157269 Second Appellate District,  
Division Two

PEOPLE v. ACUNA  
Petition for review denied

**S114798**

B157879 Second Appellate District,  
Division One

PEOPLE v. ROSALES  
Petition for review denied

**S114808**

D038444 Fourth Appellate District,  
Division One

PEOPLE v. DANIELS  
Petition for review denied

**S114809**

C037430 Third Appellate District

PEOPLE v. SULLIVAN  
Petition for review denied

**S114816**

A097972 First Appellate District,  
Division Three

BENOIT, MARRIAGE OF  
Petition for review denied

**S114818**

B151466 Second Appellate District,  
Division Four

PEOPLE v. BRACAMONTE  
Petitions for review denied

**S114819**

B158768 Second Appellate District,  
Division Two

PEOPLE v. LOPEZ  
Petition for review denied

**S114820**

F039815 Fifth Appellate District

PEOPLE v. PINEDA

Petition for review denied

**S114823**B156746 Second Appellate District,  
Division Six

PEOPLE v. KOHLER

Petition for review denied

**S114825**B157096 Second Appellate District,  
Division Five

S. (ALVARO), IN RE

Petition for review denied

**S114826**E030810 Fourth Appellate District,  
Division Two

PEOPLE v. LITTLE

Petition for review denied

**S114827**B161041 Second Appellate District,  
Division Five

FOX v. STATE OF CALIFORNIA

Petition for review denied

**S114828**B155129 Second Appellate District,  
Division Seven

PEOPLE v. BUMPHUS

Petition for review denied

**S114830**B156604 Second Appellate District,  
Division Six

PEOPLE v. RANDOLPH

Petition for review denied

**S114831**B155199 Second Appellate District,  
Division Eight

PEOPLE v. YOUNG

Petition for review denied

**S114832**B129923 Second Appellate District,  
Division Two

PEOPLE v. HOWARD

Petition for review denied

**S114833**

C037492 Third Appellate District

PEOPLE v. WATKINS

Petition for review denied

**S114835**

F040222 Fifth Appellate District

PEOPLE v. PEREZ

Petition for review denied

**S114836**

H023602 Sixth Appellate District

PEOPLE v. SANCHEZ

Petition for review denied

**S114837**G029624 Fourth Appellate District,  
Division Three

NADASDY, MARRIAGE OF

Petition for review denied

**S114838**B149789 Second Appellate District,  
Division Four

PEOPLE v. ABDELWAHAB

Petition for review denied

**S114840**

C034405 Third Appellate District

PEOPLE v. BERRY

Petition for review denied

**S114841**

H023634 Sixth Appellate District

PEOPLE v. BELLUCI

Petition for review denied

**S114842**B152473 Second Appellate District,  
Division One

PEOPLE v. LYDON

Petitions for review denied

**S114848**

H023375 Sixth Appellate District

PEOPLE v. ARRINGTON

Petition for review denied

**S114849**G028681 Fourth Appellate District,  
Division Three

PEOPLE v. GUZMAN

Petition for review denied

**S114851**B159880 Second Appellate District,  
Division Two

PEOPLE v. MORENO

Petition for review denied

**S114852**

H023802 Sixth Appellate District

PEOPLE v. KIEL

Petition for review denied



**S114854**D039035 Fourth Appellate District,  
Division OnePEOPLE v. PRECIADO  
Petition for review denied**S114859**A097557 First Appellate District,  
Division FourPEOPLE v. WILKES  
Petition for review denied**S114862**B155685 Second Appellate District,  
Division FiveLESTER v. LESTER (LOS ANGELES COUNTY)  
Petition for review denied**S114866**B165548 Second Appellate District,  
Division ThreeALLBECK v. S.C. (PEOPLE)  
Petition for review denied**S114870**A097986 First Appellate District,  
Division ThreePEOPLE v. BUGGS  
Petition for review denied**S114871**E032044 Fourth Appellate District,  
Division TwoPEOPLE v. KILLEBREW  
Petition for review denied**S114872**

H022686 Sixth Appellate District

PEOPLE v. VARA  
Petition for review denied**S114875**G027793 Fourth Appellate District,  
Division ThreePEOPLE v. BERNAL  
Petition for review denied**S114876**

F038025 Fifth Appellate District

LEAMON v. KRAJKIEWCZ  
Petition for review denied**S114883**B163576 Second Appellate District,  
Division FourUNOCAL CORPORATION v. S.C. (DOE)  
Petition for review and application for stay denied

**S114884**

B163586 Second Appellate District,  
Division Four

UNOCAL CORPORATION v. S.C.(DOE)

Petition for review and application for stay denied

**S114885**

H023575 Sixth Appellate District  
H024182

PEOPLE v. VILLA

Petition for review denied

**S114889**

E031124 Fourth Appellate District,  
Division Two

MARTINEZ v. PERSONNEL BOARD OF THE  
CITY OF LOMA LINDA et al.

Petition for review & publication request denied

**S114890**

B156050 Second Appellate District,  
Division Seven

PEOPLE v. MAYSHACK

Petition for review denied

**S114891**

H024158 Sixth Appellate District

PEOPLE v. LECHUGA

Petition for review denied

**S114892**

B156125 Second Appellate District,  
Division Five

PEOPLE v. PALMATEER

Petition for review denied

**S114893**

B159875 Second Appellate District,  
Division Five

PEOPLE v. ROGERS

Petition for review denied

**S114894**

H023729 Sixth Appellate District

S. (TROY), IN RE

Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S114895**

B157404 Second Appellate District,  
Division Three

HAREL v. NIXON

Petition for review denied

**S114899**

B156711 Second Appellate District,  
Division Three

HOLT, IN RE

Petition for review denied

**S114902**

B159751 Second Appellate District,  
Division Three

PEOPLE v. DWYER

Petition for review denied

**S114903**

A100993 First Appellate District,  
Division One

HAILE v. MORAN

Petition for review denied

**S114904**

E033335 Fourth Appellate District,  
Division Two

SAENZ v. S.C. (PEOPLE)

Petition for review denied

Request for judicial notice denied.

**S114905**

B153607 Second Appellate District,  
Division Six

VADNAIS v. CAMBRIA COMMUNITY SERVICES

Petition for review denied

**S114907**

B151614 Second Appellate District,  
Division Three

PEOPLE v. GEDDRICK

Petition for review denied

**S114908**

C039039 Third Appellate District

PEOPLE v. ROCHESTER

Petition for review denied

**S114909**

B158873 Second Appellate District,  
Division One

PEOPLE v. SHARROD

Petition for review denied

**S114911**

C042778 Third Appellate District

PEOPLE v. VALENCIA

Petition for review denied

**S114914**

F040763 Fifth Appellate District

PEOPLE v. BALLARD

Petition for review denied

**S114915**

B152868 Second Appellate District,  
Division Seven

T. (DAVIONE), IN RE

Petition for review denied

**S114916**

G029534 Fourth Appellate District,  
Division Three

## PEOPLE v. RAND

Petition for review denied

**S114919**

B164675 Second Appellate District,  
Division Eight

## TAYLOR v. S.C. (CIGNA)

Petition for review denied

**S114921**

B138027 Second Appellate District,  
Division Four

## ASH (JOSEPH C.), CONSERVATORSHIP OF

Petition for review denied

**S114923**

B158663 Second Appellate District,  
Division Five

## PEOPLE v. MENDOZA

Petition for review & depublication request denied

Kennard, J., is of the opinion the petition  
should be granted.

**S114924**

A096823 First Appellate District,  
Division One

## PEOPLE v. WILLIAMS

Petition for review denied

Kennard, J., Werdegar, J. and Chin, J., are of  
the opinion the petition should be granted.

**S114925**

B165517 Second Appellate District,  
Division Two

## LI v. S.C. (YEUNG)

Petition for review denied

**S114926**

B148849 Second Appellate District,  
Division Two

## MIR v. POMONA VALLEY

Petition for review denied

**S114927**

C038253 Third Appellate District

## PEOPLE v. TAYLOR

Petition for review denied

**S114929**

B156755 Second Appellate District,  
Division Four

## PEOPLE v. JONES

Petition for review denied

**S114930**

G028531 Fourth Appellate District,  
Division Three

PEOPLE v. ASSID

Petition for review denied

**S114935**

B157423 Second Appellate District,  
Division Seven

ISABEL PACIFIC v. CITY COUNCIL (AVALON)

Petition for review denied

**S114936**

B154757 Second Appellate District,  
Division Three

PEOPLE v. BROZEK

Petition for review denied

**S114939**

D035096 Fourth Appellate District,  
D038235 Division One

PEOPLE v. CREASY

Petition for review denied

**S114940**

B156607 Second Appellate District,  
Division Six

PEOPLE v. GONZALES

Petition for review denied

**S114941**

H023455 Sixth Appellate District

PEOPLE v. HERNANDEZ

Petition for review denied

**S114942**

B165982 Second Appellate District,  
Division Seven

DELALOZA (ALEJANDRO) ON H.C.

Petition for review denied

**S114944**

B151681 Second Appellate District,  
Division Seven

PEOPLE v. BASKERVILLE

Petition for review denied

**S114946**

B157463 Second Appellate District,  
Division One

PEOPLE v. WAFER

Petition for review denied

**S114947**

B157178 Second Appellate District,  
Division Seven

WOLF v. S.C. (WALT DISNEY)

Petition for review & depublication request denied

George, C.J., and Brown, J., were recused and  
did not participate.

**S114949**

H023933 Sixth Appellate District

PEOPLE v. NAMOWICZ

Petition for review denied

**S114952**A099695 First Appellate District,  
Division FourCOLVIN OIL COMPANY v. CITY OF  
CRESCENT CITY

Petition for review denied

**S114953**B156467 Second Appellate District,  
Division Eight

PEOPLE v. RAMOS

Petition for review denied

**S114954**B157726 Second Appellate District,  
Division Two

PEOPLE v. CORADO

Petition for review denied

**S114956**D039317 Fourth Appellate District,  
Division One

QUINI v. PARADISE VALLEY HOSPITAL

Petition for review denied

**S114958**B152130 Second Appellate District,  
Division Six

PEOPLE v. REYES

Petition for review denied

**S114961**

C040151 Third Appellate District

PEOPLE v. MYERS

Petition for review denied

**S114963**D039849 Fourth Appellate District,  
Division OneENCINITAS COUNTRY DAY SCHOOL v. CITY  
OF ENCINITAS

Petition for review &amp; publication requests denied

**S114966**

H023760 Sixth Appellate District

PEOPLE v. BEDOLLA

Petition for review denied

**S114979**B156287 Second Appellate District,  
Division Two

PEOPLE v. MITCHELL

Petition for review denied

**S114984**

A098184 First Appellate District,  
Division Four

PEOPLE v. INMAN

Petition for review denied

**S114986**

B158707 Second Appellate District,  
Division Six

MARIAN v. COUNTY OF VENTURA

Petition for review denied

**S114987**

B158519 Second Appellate District,  
Division Six

PEOPLE v. SHAW

Petition for review denied

**S114988**

D040551 Fourth Appellate District,  
Division One

PEOPLE v. STANLEY

Petition for review denied

**S114989**

F042308 Fifth Appellate District

WALKER v. S.C. (PEOPLE)

Petition for review denied

**S114990**

B153285 Second Appellate District,  
Division Five

KELSEY v. WATSON

Petition for review denied

**S114993**

B152549 Second Appellate District,  
Division One

SQUIRES v. GOODYEAR TIRE

Petition for review denied

**S114999**

A096285 First Appellate District,  
Division Three

PEOPLE v. VINES

Petition for review denied

**S115000**

F041527 Fifth Appellate District

M. (ASHLEY), IN RE

Petition for review denied

**S115001**

G030683 Fourth Appellate District,  
Division Three

PEOPLE v. RESTREPO

Petition for review denied

**S115002**

F039642 Fifth Appellate District

PEOPLE v. MARTINEZ

Petition for review denied

**S115004**B154152 Second Appellate District,  
B159148 Division Three

PEOPLE v. HACKETT

Petition for review denied

**S115011**

H023571 Sixth Appellate District

PEOPLE v. YALUNG

Petition for review denied

**S115013**

F041440 Fifth Appellate District

P. (ANGEL), IN RE

Petition for review denied

**S115017**B146106 Second Appellate District,  
Division Eight

ABBASSI v. REGENTS OF UNIVERSITY

Petition for review denied

**S115025**B152985 Second Appellate District,  
Division One

PAPADAKIS v. SPELLACY

Petition for review denied

**S115029**B161722 Second Appellate District,  
Division Six

MARIAN v. STATE OF CALIFORNIA

Petition for review denied

**S115031**B156419 Second Appellate District,  
Division Seven

PEOPLE v. PLEITEZ

Petition for review denied

**S115033**B156989 Second Appellate District,  
Division Seven

PEOPLE v. ADKINS

Petition for review denied

**S115034**B157399 Second Appellate District,  
Division Five

PEOPLE v. CALDERON

Petition for review denied



**S115035**

B157277 Second Appellate District,  
Division Seven

PEOPLE v. MCCANN

Petition for review denied

**S115049**

D040440 Fourth Appellate District,  
Division One

C. (JUSTICE), IN RE

Petition for review denied

**S115057**

E030284 Fourth Appellate District,  
Division Two

PEOPLE v. GONZALEZ

Petition for review denied

**S115058**

D038067 Fourth Appellate District,  
Division One

PEOPLE v. BRYANT

Petition for review denied

**S115078**

E031233 Fourth Appellate District,  
E031596 Division Two

H. (A.), IN RE

Petitions for review denied

**S115084**

B155462 Second Appellate District,  
Division Seven

PEOPLE v. TAYLOR

Petition for review denied

**S115086**

H024183 Sixth Appellate District

PEOPLE v. TRUJILLO

Petition for review denied

**S115094**

B160253 Second Appellate District,  
Division Six

MARIAN v. COUNTY OF VENTURA

Petition for review denied

**S115104**

A102098 First Appellate District,  
Division One

CERVANTES v. S.C. (CAREY)

Petition for review denied

**S115111**

B156895 Second Appellate District,  
Division Seven

PEOPLE v. KRAMER

Petition for review denied

**S115331**

E033482 Fourth Appellate District,  
Division Two

RIVERS v. S.C. (PEOPLE)

Petition for review and application for stay denied

**S115371**

A102226 First Appellate District,  
Division One

TURNER v. S.C (PEOPLE)

Petition for review and application for stay denied

**S115475**

E033053 Fourth Appellate District,  
Division Two

MARANTHA PRODUCTION v. S.C. (LANDDERO)

Petition for review and application for stay denied

**S115690**

B165395 Second Appellate District,  
Division One

ATKINS v. S.C. (CITRUS VALLEY HEALTH)

Petition for review and application for stay denied

**S115798**

A102025 First Appellate District,  
Division Two

AYELE v. KAISER FOUNDATION HEALTH PLAN

Petition for review and application for stay denied

Werdegar, J. was recused and did not  
participate.

**S107281**

NELSON (CHRISTOPHER) ON H.C.

Petition for writ of habeas corpus denied

**S108130**

GRIMES (RANDALL WAYNE) H.C.

Petition for writ of habeas corpus denied

**S108287**

GODBOULDT (CLARNCE E.) ON H.C.

Petition for writ of habeas corpus denied

**S108878**

MOUSA (ALBERT M.) ON H.C.

Petition for writ of habeas corpus denied with  
citation(s)

**S109067**

CASTLEBERRY (DARRELL) ON H.C.

Petition for writ of habeas corpus denied

<b>S109080</b>	BANKS (DEON) (aka NIJAYAH THOMPSON) ON H.C. Petition for writ of habeas corpus denied
<b>S109089</b>	ALVAREZ (RICKY C.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S109135</b>	DU PREE (CHRISTOPHER) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S109169</b>	BLACKBURN (KEVIN E.) ON H.C. Petition for writ of habeas corpus denied
<b>S109172</b>	CURTIS (TONY L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S109290</b>	LISENBEE (DEL W.) ON H.C. Petition for writ of habeas corpus denied
<b>S109348</b>	MARTIN (RUSSELL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S109533</b>	BIGGS (JEFFREY J.) ON H.C. Petition for writ of habeas corpus denied
<b>S109534</b>	BLACKBURN (KEITH) ON H.C. Petition for writ of habeas corpus denied
<b>S109569</b>	SAMARRON (FERNANDO) H.C. Petition for writ of habeas corpus denied
<b>S109675</b>	HACKETT (BRIAN) ON H.C. Petition for writ of habeas corpus denied with citation(s)

**S109678**

BROWN (VERNON C.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109717**

WILLIAMS (JOHN L.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109724**

TALBERT (WILLIAM RAY) ON H.C.  
Petition for writ of habeas corpus denied

**S109736**

MILONY (LOUIS) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109739**

COLEMAN (MALCOM) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109747**

HOLLINS (JOHN BRADLEY) ON H.C.  
Petition for writ of habeas corpus denied

**S109785**

EVANS (ALONZO) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109790**

ZARATE (MANUEL) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109796**

NELSON (BURNETT) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109838**

ONEAL (BYRON) ON H.C.  
Petition for writ of habeas corpus denied

<b>S109851</b>	AYON (FRANCISCO) ON H.C. Petition for writ of habeas corpus denied
<b>S109870</b>	SMITH (JOHN C.) ON H.C. Petition for writ of habeas corpus denied
<b>S109876</b>	LEWIS (VONDELL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S110011</b>	BELLINGER (BRIAN JAMES) ON H.C. Petition for writ of habeas corpus denied
<b>S110073</b>	BARBEE (LEWIS B.) ON H.C. Petition for writ of habeas corpus denied
<b>S110082</b>	HARRIS (MELVIN) ON H.C. Petition for writ of habeas corpus denied
<b>S110117</b>	PRICE (FRED) ON H.C. Petition for writ of habeas corpus denied
<b>S110166</b>	BROWN (KATHERINE D.) ON H.C. Petition for writ of habeas corpus denied
<b>S110264</b>	CARTER (DUANE V.) ON H.C. Petition for writ of habeas corpus denied
<b>S110361</b>	GILMORE (REGINALD) ON H.C. Petition for writ of habeas corpus denied
<b>S110384</b>	SHIELDS (REMON A.) ON H.C. Petition for writ of habeas corpus denied
<b>S110401</b>	SCOTT (CHRISTOPHER) ON H.C. Petition for writ of habeas corpus denied

<b>S110407</b>	DULANEY (MARIO) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S110611</b>	KISHOR (CHANDRA) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S110734</b>	HERNANDEZ (ARMANDO) ON H.C. Petition for writ of habeas corpus denied
<b>S110789</b>	TURNER (EDWARD L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S110817</b>	MCCANTS (TERRANCE W.) ON H.C. Petition for writ of habeas corpus denied
<b>S111000</b>	BIGGS (JEFFREY J.) ON H.C. Petition for writ of habeas corpus denied
<b>S111143</b>	SYLVESTER (DEREK) ON H.C. Petition for writ of habeas corpus denied
<b>S111364</b>	WIKEL (LARRY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S111557</b>	COLLINS (EDMAN BYRON) ON H.C. Petition for writ of habeas corpus denied
<b>S111602</b>	HUNT (VICTOR) ON H.C. Petition for writ of habeas corpus denied
<b>S111806</b>	OSSEY (OSCAR) ON H.C. Petition for writ of habeas corpus denied with citation(s)

<b>S111974</b>	MORA (LOUIE) ON H.C. Petition for writ of habeas corpus denied
<b>S112222</b>	PRITCHETTE (KEVIN) ON H.C. Petition for writ of habeas corpus denied
<b>S112230</b>	ARVIZU (EDUARDO Q.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S112234</b>	MUHAMMAD (ANSAR EL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S112236</b>	GALEANO (JOSE A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S112238</b>	USHER (ALVIN) ON H.C. Petition for writ of habeas corpus denied
<b>S112358</b>	GONZALEZ (MANUEL A.) ON H.C. Petition for writ of habeas corpus denied
<b>S112719</b>	MCCANTS (TERRANCE W.) ON H.C. Petition for writ of habeas corpus denied
<b>S113406</b>	CASTILLO (ANTHONY R.) ON H.C. Petition for writ of habeas corpus denied
<b>S114121</b>	MORA (LOUIE) ON H.C. Petition for writ of habeas corpus denied
<b>S114960</b>	MORA (LOUIE) ON H.C. Petition for writ of habeas corpus denied
<b>S114980</b>	DIAZ (EFREM) ON H.C. Petition for writ of habeas corpus denied

**S114983**

SINGLETON (DUANE A.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S115280**

PETERSON (RICHARD H.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S115501**

WHELAN (WILLIAM LEE) ON H.C.  
Application for stay and petition for writ of habeas  
corpus denied with citation(s)

**S115544**

BARNES (JEROME G.) ON H.C.  
Application for stay and petition for writ of habeas  
corpus denied with citation(s)

**S111509**

B151867 Second Appellate District,  
Division Six

PEOPLE v. TORCH ENERGY  
Depublication request denied (case closed)

**S112036**

B155411 Second Appellate District,  
Division Seven

HOPE, CITY OF v. CAVE  
Depublication requests denied (case closed)

**S112425**

B152449 Second Appellate District,  
Division Three

PEOPLE v. S.C. (PLASCENCIA)  
Depublication request denied (case closed)

**S113333**

B157339 Second Appellate District,  
Division Six

SCHNEIDER v. GOURLEY  
Publication request denied (case closed)

**S113675**

D038685 Fourth Appellate District,  
Division One

SAN DIEGO POLICE OFFICERS ASSN v. CITY OF  
SAN DIEGO CIVIL SERVICE COMM.  
Depublication request denied (case closed)

**S114102**

G029452 Fourth Appellate District,  
Division Three

B. (G.) v. R. (E. B.)  
Publication request denied (case closed)



**S114169**

B149685 Second Appellate District,  
Division Two

DOVERWOOD TOWNHOME v. MCMULLEN  
Publication request denied (case closed)

**S114225**

B154919 Second Appellate District,  
Division Four

COAST PLAZA DOCTORS HOSPITAL v. UHP  
HEALTHCARE  
Publication requests denied (case closed)

The requests for an order directing  
depublication of the published portion of the  
opinion are denied.

The requests for an order directing further  
publication of the opinion in the above-  
entitled appeal are denied.

Werdegar, J., was recused and did not  
participate.

Moreno, J., is of the opinion the requests  
should be granted.

**S114305**

E032970 Fourth Appellate District,  
Division Two

CARE ENTERPRISE WEST v. (S.C.) SEGAL  
Publication request denied (case closed)

**S114489**

A097940 First Appellate District,  
Division Five

JACKSON v. GOURLEY  
Depublication request denied (case closed)

**S114497**

A091841 First Appellate District,  
Division Three

GUSH v. DUAL ARCH INTERNATIONAL  
Publication request denied (case closed)

**S114521**

D041098 Fourth Appellate District,  
Division One

L. (GUILLERMO) v. S.C. (SAN DIEGO COUNTY  
HEALTH AND HUMAN SERVICES)  
Publication request denied (case closed)

**S114638**

A096763 First Appellate District,  
Division Two

L. (RACHELLE) v. ROMAN CATHOLIC  
ARCHBISHOP OF SAN FRANCISCO  
Depublication request denied (case closed)

**S114656**

H023064 Sixth Appellate District

APPLE COMPUTER v. SANTA CLARA COUNTY  
ASSESSMENT APPEALS BD. (STONE)

Depublication requests denied (case closed)

**S114661**B152073 Second Appellate District,  
B160513 Division Eight

PEOPLE v. BEASLEY

Depublication request denied (case closed)

**S115032**A092076 First Appellate District,  
Division Three

KERNS v. CSE INSURANCE GROUP

Depublication requests denied (case closed)

**S029489**

PEOPLE v. HOWARD (ALPHONSO)

Extension of time granted

to July 15, 2003 to file appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon Deputy State Public Defender David S. Adam's representation that he anticipates filing that brief by 9/15/2003.

**S033975**

PEOPLE v. COMBS (MICHAEL STEVEN)

Extension of time granted

to May 27, 2003 to file appellant's reply brief. After that date, no further extension is contemplated. Extension is granted based upon counsel Richard C. Gilman's representation that he anticipates filing that brief by 5/26/2003.

**S058537**

PEOPLE v. COLLINS (SCOTT FORREST)

Extension of time granted

to July 15, 2003 to file appellant's opening brief.

**S060803****PEOPLE v. MUNGIA (JOHN)**  
Extension of time granted

to July 14, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S109734**B152731 Second Appellate District,  
Division Seven**PEOPLE v. GRIFFIN**  
Extension of time granted

Based on the representation of Allison H. Chung, counsel for respondent, that barring unforeseen circumstances, respondent's reply brief will be filed on or before June 12, 2003, the time to file this brief is extended to and including that date. No further extensions are contemplated.

**S111028**B145982 Second Appellate District,  
B154520 Division One**PEOPLE v. WILKINSON**  
Extension of time granted

to May 16, 2003 for appellant to file the answer brief on the merits.

**S112862**B152928 Second Appellate District,  
Division One**GRAHAM v. DAIMLER CHRYSLER**  
Extension of time granted

Respondents granted to and including June 23, 2003 to file answer brief on the merits.

**S113301**B148398 Second Appellate District,  
Division Seven**VENEGAS v. COUNTY OF LOS ANGELES**  
Extension of time granted

respondent's time to serve and file the brief on the merits is extended to and including June 7, 2003.

**S113321**A092782 First Appellate District,  
Division Four

PEOPLE v. WALLACE

Extension of time granted

Respondent's time to serve and file the opening brief on the merits is extended to and including June 16, 2003.

**S114778**D038707 Fourth Appellate District,  
Division One

SAN DIEGO COUNTY v. ACE PROPERTY

Extension of time granted

Time for appellant to file the opening brief on the merits is extended to June 23, 2003.

**S114982**

CHATMAN (ERIK SANFORD) ON H.C.

Extension of time granted

to June 11, 2003 to file the informal response to the petition for writ of habeas corpus. After that date, only four further extensions totaling about 120 additional days will be granted. Extension is granted based upon Deputy Attorney General Jeremy Friedlander's representation that he anticipates filing that document by 10/10/2003.

**S115027**A090058 First Appellate District,  
Division Four

NAVELLIER v. SLETTEN

Extension of time granted

Respondent granted to and including May 16, 2003, to file the reply brief.

**S042323**

PEOPLE v. BURNEY (SHAUN K.)

Order filed

Appellant's "Request for Access to Sealed Trial Juror Records" is granted.

The clerk is directed to provide appellant and respondent with a copy of pages 882 through 946 of the clerk's transcript herein.

On the court's own motion, the clerk is further directed to unseal the original of pages 882 through 946 of the clerk's transcript.

In addition, the clerk is directed to provide appellant and respondent with a copy of page

page 881 of the clerk's transcript.

It is ordered that only counsel for appellant and counsel for respondent, and their respective investigators, may have access to and use the copy of page 881 of the clerk's transcript provided, and may do so only on this appeal and with respect to any petition for writ of habeas corpus by appellant challenging the lawfulness of his confinement pursuant to the underlying judgment of death.

On the court's own motion, the clerk is further directed to reseal the original of page 881 of the clerk's transcript.

**S094088**

F033862 Fifth Appellate District

PEOPLE v. SANDERS

Orders filed

The request of counsel for appellants to allow two counsel to argue on behalf of appellants is granted.

The request to allocate 15 minutes to appellant Sanders and to allocate 15 minutes to appellant McDaniel of appellants' 30-minutes allotted oral argument time is granted.

**S096831**

BARNETT (LEE MAX) ON H.C.

Application to file document under seal granted

Petitioner's "Motion To File Appendices S-1 Through S-7 Under Seal" and his "Supplemental Motion To File Appendices S-1 Through S-7 Under Seal," filed March 14, 2003 and April 22, 2003, respectively, are granted.

The Clerk is directed to file appendices S-1 through S-7 under seal.

Kennard, J., was recused and did not participate.

**S102588**

H021153 Sixth Appellate District

DVD COPY CONTROL ASSN v. BUNNER  
Order filed

Defendant Andrew Bunner's Motion to Dismiss for Mootness is denied.

Moreno, J., is of the opinion the motion should be granted.  
Kennard, J., and Chin, J., were recused and did not participate.

**S104543**

E028662 Fourth Appellate District,  
Division Two

MACKINNON v. TRUCK INSURANCE EXCH.  
Orders filed

The request of counsel for respondent to allow two counsel to argue on behalf of respondent is granted.

The request of respondent to allocate to amicus curiae London Market Insurers 10 minutes of respondent's 30-min oral argument time is granted.

**S106256**

C026448 Third Appellate District

HASSAN v. MERCY AMERICAN RIVER HOSP.  
Request for judicial notice granted

The motion of Amici Curiae California Medical Association, California Dental Association, and California Healthcare Association, filed in this court on February 20, 2003, for judicial notice is granted.

**S107167**

G025767 Fourth Appellate District,  
Division Three

PEOPLE v. GONZALEZ  
Orders filed

The request of counsel for appellants to allow two counsel to argue on behalf of appellants is granted.

The request to allocate 15 minutes to appellant Pano and to allocate 15 minutes to appellant Gonzalez of appellants' 30-minute allotted oral argument time is granted.

**S110804**

PEOPLE v. ACREMANT (ROBERT JAMES)  
Request denied

Appellant's "Motion for Order Compelling Clerk of the Trial Court to Provide Copy of Trial Court Record," filed on April 9, 2003, is denied.

**S111138**

F040063 Fifth Appellate District

R. (CELINE), IN RE  
Orders filed

The request of counsel for appellants to allow two counsel to argue on behalf of appellants is granted.

The request of appellants to allocate to amicus curiae Whittier Law School Legal Policy Clinic 10 minutes. of appellants' 30-minute allotted time for oral argument is granted.

**S111323**

F039699 Fifth Appellate District

SAINT AGNES MEDICAL v. PACIFICARE  
Order filed

Plaintiff and respondent Saint Agnes Medical Center's motion, under Code of Civil Procedure section 1291.2, for "calendar preference" (see Cal. Rules of Court, rule 19) is granted, as consistent with (1) attention to matters entitled to greater preference by law and (2) application of those provisions of the Internal Operating Practices and Procedures of the California Supreme Court that may necessarily affect scheduling of the case for oral argument (see Supreme Ct. Intern. Operating Practices & Procedures, §§ V, VI).

**S114551**

STEELE (RAYMOND EDWARD) ON H.C.  
Order filed

The court invites the California Habeas Corpus Resource Center to file an amicus curiae brief addressing the matters upon which an order to show cause has been issued. Such a brief should be filed within the time

period set forth in rule 29.1(f) of the  
California Rules of Court.

**S090057**

IN THE MATTER OF THE SUSPENSION OF  
ATTORNEYS PURSUANT TO RULE 962  
CALIFORNIA RULES OF COURT

Having been provided proof of compliance  
pursuant to Family Code 17520, the  
suspension of **RICHARD ALLAN RUBEN**  
pursuant to our order filed on April 10, 2003,  
is hereby terminated.  
This order is final forthwith.

**S112957**

KREITENBERG ON DISCIPLINE  
Recommended discipline imposed

It is hereby ordered that **MITCHELL H.  
KREITENBERG, State Bar No. 108440**, be  
disbarred from the practice of law and that his  
name be stricken from the roll of attorneys.  
He is also ordered to comply with the  
provisions of California Rules of Court, rule  
955 and to perform the acts specified in  
subdivisions (a) and (c) of that rule within 30  
and 40 days, respectively, after the effective  
date of this order.\* Costs are awarded to the  
State Bar.

**S115040**

KREITENBERG ON RESIGNATION  
Resignation declined

This court having received and considered the  
voluntary resignation of **MITCHELL H.  
KREITENBERG, State Bar No. 108440**, as  
a member of the State Bar of California,  
declines to accept the resignation. (Cal. Rules  
of Court, rule 960(c).).

**S113328**

SCOTT ON DISCIPLINE  
Petition for writ of review denied; recommended  
discipline imposed

Petition for writ of review DENIED.  
It is ordered that **CAREY BRENT SCOTT**,



**State Bar No. 91813**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he actually suspended for 60 days. **Carey Brent Scott** is also ordered to comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed October 25, 2002. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

B162128 Second Appellate District

PEOPLE v. SPEARS (GARY)

Order filed

The time for granting review on the court's own motion is hereby extended to and including July 1, 2003. (Cal. Rules of Court, rule 28.2(d).)

